UNITED NATIONS **S**

Security Council

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S/1999/408
12 April 1999
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ORIGINAL: ARABIC

IDENTICAL LETTERS DATED 11 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you that violations of Iraq's airspace by United States and British aircraft based in Saudi Arabia and Kuwait continued between 1 and 7 April 1999 and that the aircraft in question engaged in acts of aggression, reconnaissance activities and acts of provocation, as set forth in the annex hereto.

You are requested to intervene with the United States, the United Kingdom and the countries that provide the facilities for these acts of aggression, namely Saudi Arabia and Kuwait, with a view to bringing a halt to actions that, as flagrant violations of the Charter of the United Nations and of international law, pose a threat to the sovereignty and territorial integrity of Iraq.

These actions are continuing to bring death and injury to hundreds of civilians and to cause serious damage to private and public property. The logistic support that Saudi Arabia and Kuwait provide to the United States and British forces makes them key partners in the aggression being committed against Iraq, so that they share international responsibility for the consequences of these actions. The Republic of Iraq affirms its right to seek legal compensation for the damage being inflicted on its people by these same actions.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Permanent Representative

Annex

Violations by United States and British aircraft and damage caused, 1-7 April 1999

1. In the southern region 164 sorties were flown at speeds of 600 to 780 kilometres per hour and at altitudes of 8,000 to 12,000 metres over the following Iraqi cities and towns: Nasiriyah, Samawah, Basrah, Diwaniyah, Najaf, Amarah, Artawi, Ushbayjah, Jalibah, Salman, Busayyah, Qurnah, Shinafiyah, Rifa'i, Safwan, Lasaf, Qal'at Sukkar, Ansab, Nukhayb, Afak and Shatrah.

2. At 0900 hours on 2 April 1999 13 formations of United States and British aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. These formations included F-14s, F-15s, F-16s, F-18s and Tornadoes, and they were supported by one AWACS and one E-2C command and control aircraft from inside Saudi airspace. They carried out 32 sorties from Saudi airspace and eight from Kuwaiti airspace, and they overflew the Salman, Samawah, Diwaniyah, Najaf and Qurnah areas and bombed residential neighbourhoods in the Afak area of Qadisiyah Governorate. Two dwellings were destroyed in the bombing and a number of civilians were wounded. Our air defences, acting in self-defence, engaged the aircraft and, at 1035 hours, drove them off.

At 1700 hours on the same day another 12 formations of United States and British aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. These formations included F-14s, F-15s, F-16s, F-18s and Tornadoes, and they were supported by an AWACS command and control aircraft from inside Saudi airspace. They carried out 21 sorties from Saudi airspace and four from Kuwaiti airspace, and they overflew the Salman, Samawah, Nasiriyah, Basrah and Amarah areas and bombed services-related installations in the Basrah area. Our air defences, acting in self-defence, engaged the aircraft and, at 1810 hours, drove them off.

3. At 1815 hours on 2 April 1999 United States and British aircraft coming from Saudi and Kuwaiti territory bombed the station controlling the flow of Iraqi oil to Mina' al-Bakr as part of the Iraqi Southern Oil Company system. This major control station is located at Hamdan in the Abu al-Khasib area of Basrah Governorate. The United States-British aggression destroyed the control station, and it is clear that its objective was to halt the flow of Iraqi oil by way of Mina' al-Bakr in southern Iraq in a hostile and malicious attempt to void the memorandum of understanding between Iraq and the United Nations on the oil-for-food programme.

4. At 1335 hours on 4 April 1999 13 formations of United States and British aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. These formations included F-14s, F-15s, F-16s, F-18s and Tornadoes, and they were supported by one AWACS and one E-2C command and control aircraft from inside Saudi airspace. They carried out 22 sorties from Saudi airspace and four from Kuwaiti airspace, and they overflew the Basrah, Dhi Qar and Muthanna areas and bombed a number of services-related sites in the southern region. Our air defences, acting in self-defence, engaged the aircraft and, at 1553 hours, drove them off.

At 2030 hours on the same day another 12 formations of United States and British aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. These formations included F-14s, F-15s and F-16s, and they were supported by an AWACS command and control aircraft from inside Saudi airspace. They carried out 20 sorties from Saudi airspace and four from Kuwaiti airspace, and they overflew the Salman, Samawah, Nasiriyah, Basrah, Amarah, Najaf and Nukhayb areas and bombed a number of services-related installations in the central and southern regions. Our air defences, acting in self-defence, engaged the aircraft and, at 2145 hours, drove them off.

5. At 1255 hours on 5 April 1999 United States and British aircraft coming from Saudi territory penetrated Iraq's airspace in the southern region. These formations included F-14s, F-15s and F-16s, and they carried out eight sorties from Saudi airspace and overflew areas to the north of Hafr al-Batin inside Iraqi territory before leaving at 1553 hours.

6. At 1325 hours on 7 April 1999 United States and British aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. These formations included F-14s, F-15s and F-16s. They carried out 40 sorties, 28 of them from Saudi airspace and 12 from Kuwaiti airspace, and overflew the Nasiriyah, Salman, Samawah, Diwaniyah, Busayyah, Chabaish, Hawr al-Hammar, Qal'at Sukkar and Shinafiyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1545 hours, drove them off.

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GENERAL ASSEMBLY
Fifty-third session
Agenda item 45
THE SITUATION IN AFGHANISTAN
AND ITS IMPLICATIONS FOR
INTERNATIONAL PEACE AND
SECURITY

SECURITY COUNCIL
Fifty-fourth year

Identical letters dated 12 April 1999 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General and the President of the Security Council

Upon instructions from my Government, I have the honour to forward herewith a letter dated 12 April 1999 from A. Abdullah, Vice-Minister for Foreign Affairs of the Islamic State of Afghanistan addressed to you (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 45, and of the Security Council.

(Signed) A. G. Ravan FARHADI
Ambassador
Permanent Representative

Annex

Letter dated 12 April 1999 from the Vice-Minister for Foreign Affairs of Afghanistan to the Secretary-General

Only weeks after the "Statement by the United Nations Special Mission to Afghanistan on behalf of the Afghan sides to the Ashgabat Peace Talks" and the "mutually agreed" points on the formation of "a shared Executive, a shared Legislature and a shared Judiciary", at the end of the three-day intra-Afghan dialogue under the auspices of the United Nations in Ashgabat on 14 March 1999, and while much optimism and efforts were under way to secure a date and venue for the second round of the peace talks between the parties - to which both sides gave their solemn consent - the Taliban have been intensely engaged in preparing for massive military operations to be launched soon against positions held by armed forces of the Islamic State of Afghanistan throughout the country.

Incontrovertible evidence collected by the intelligence services of the Islamic State of Afghanistan indicates that the Government of Pakistan, for nearly three weeks now, has been supplying large consignments of light and heavy armaments and ammunition shipments to the Taliban. Regular convoys - consisting of precisely 11 truckloads - continue to pour from Peshawar, Pakistan, to the eastern Afghan city of Jalalabad, three days a week. Similarly, a steady flow of arms from the city of Quetta, Baluchistan, to the southern Afghan city of Kandahar, the headquarters of the Taliban "Supreme Leader", is being simultaneously maintained.

Crucially important among all, however, was the dispatch on 23 March 1999 by the Pakistani Government of a Pakistani regiment of paramilitary force to Afghanistan, which is at present stationed in the Rishkhor Garrison in the western suburbs of the capital, Kabul, poised to be deployed in the Taliban pre-planned incursions. Nonetheless, the frequency and consequently the quantity of the arms shipped from Pakistan reached its highest peak in the first week of the arms shipping operation, dating back to 21 March 1999, during the course of which the international news media widely reported a temporary sealing-off by the Pakistani Government of the Torkham border checkpoint, and a shortage of commodities such as wheat flour in the capital, Kabul, caused by it, evidently in an attempt to cover up the round-the-clock shipping operation carried out by the Pakistani army.

It is important to note that following the Ashgabat peace "Statement", the Taliban, in total contradiction to the terms stipulated in the "mutually agreed" text, despite the fact that the "Statement" made no reference to the official names of the negotiating parties, made scores of declarations full of premeditated evasions and in fact connoting their intention to pursue war, which finally surfaced in a statement by the Taliban leader Mullah Mohammad Omar on 10 April 1999, ruling out any further talks with the Government of the Islamic State of Afghanistan.

Thus stated, it was no surprise when Pakistan's Foreign Minister Sartaj Aziz on 2 April 1999 renewed calls by his Government on the United Nations to impose an arms embargo on Afghanistan, a move which was calculatedly

orchestrated by Pakistan to render itself rather innocent, while leaving the Taliban already armed to the teeth.

The information given above, in addition to recent deployment and shipments of widespread logistics and personnel by the Taliban, north of Kabul and in the provinces of Kunduz, Ghor and Faryab, plus many more corroborating factors - all herald heavy fighting soon to be sparked by the Taliban, already facing mounting civilian resistance, directly assisted and engineered by the Government of Pakistan, which inevitably would be a severe blow to the United Nations peace process in Afghanistan at large, and an acute setback to the Ashgabat peace accord in particular.

Mindful of the above, it must be put on record that the armed forces of the Islamic State of Afghanistan will remain vigilant and watchful with respect to these subversive activities of both Pakistan and the Taliban and will forcefully foil any attempt by warmongers aimed at subjugating Afghanistan.

The Islamic State of Afghanistan, long seeking a peaceful solution to the conflict in the country, wishes to reiterate its sincere commitment to the "agreement" of "a shared Executive, a shared Legislature and a shared Judiciary" with the Taliban concluded in Ashgabat and its unwavering support to the United Nations peace process in Afghanistan, and earnestly requests appropriate measures to ensure the halt of the ceaseless Pakistani interventions in the internal affairs of Afghanistan, the resumption of renewed fighting by the Taliban war machine leading to further genocide in the country and the exacerbation of the humanitarian crisis followed by military onslaughts.

(Signed) A. ABDULLAH
Vice-Minister for Foreign Affairs
Islamic State of Afghanistan

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LETTER DATED 12 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that 395 mines, bombs, missiles and other unexploded ordnance left behind by the 1991 30-Power aggression against Iraq were found and disposed of in all parts of the country between 1 February and 31 March 1999. The items included American-made missiles and cluster bombs as well as spherical bomblets, strip bombs, aerial bombs, artillery shells and miscellaneous hand grenades, and they were found in the following governorates: Baghdad, Ninawa, Basrah, Najaf, Salah al-Din, Ta'mim, Diyala, Babil, Qadisiyah, Dhi Qar and Muthanna.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Permanent Representative

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LETTER DATED 12 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 11 April 1999 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of Iraq. The Minister calls attention to the epidemic of foot-and-mouth disease in Iraq and to the consequent large-scale destruction of livestock and the economic costs in terms of the red meat and dairy products lost, which exacerbates the suffering of Iraqis already undernourished owing to the maintenance of the unjust embargo imposed on the country; and he appeals to you to urge the specialized agencies of the United Nations to undertake to supply Iraq, with all necessary dispatch, with sufficient quantities of vaccine to halt the epidemic.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Permanent Representative

Annex

Letter dated 11 April 1999 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

Further to my letter dated 27 February 1999 (S/1999/219, annex), I should like to present the facts set forth hereunder concerning the spread of foot-and-mouth disease in Iraq.

1. When the Government of Iraq's comprehensive development plan was being implemented in the 1970s, an important enterprise was established for the production of vaccine against the three types of foot-and-mouth disease (O, A and Asia), and for the identification of the types and strains of the virus that causes the disease. It had a design capacity to produce 12 million doses of triple vaccine a year in order to meet the vaccine needs of the country and the region as Iraq's contribution to controlling the disease. The plant's laboratories were provided with modern equipment for the production of the vaccine and for diagnostic purposes. The French company Rhône-Merieux undertook to build the plant and to supervise it for a 20-month period from the time production began in April 1982.

2. From 1984 onwards and for many years, large quantities of the single, double and triple vaccines produced in the plant's laboratories were exported to Bahrain, Qatar, Jordan, Lebanon, Egypt, Laos and France. The enterprise continued to produce and export until early 1991.

3. At the time, the Food and Agriculture Organization of the United Nations regarded the plant's facilities as reference laboratories for the identification of types and strains of the virus that causes the disease.

4. Work at the plant was briefly suspended during the 30-Power aggression against Iraq in 1991. It subsequently resumed, and production continued until 1992 using the raw materials available in the plant's stockrooms. Because of the conditions created by the embargo, the impossibility of importing the raw materials used for production and the destruction of the plant's equipment, work on the production of vaccines stopped. It thereby became impossible to bring the plant back into operation, given that the production of this vaccine involves a long series of processes, requiring the participation of a large number of employees, in which each step is essential. This is especially so since the method used in producing this vaccine differs greatly from that for other vaccines because it involves such complex processes as are familiar to specialists in the field.

5. Given its desire and its need to continue this work, Iraq approached the United Nations, through the proper channels, with a view to securing approval for the removal of certain supplies from the plant, after it had been closed down and its equipment had been destroyed at the beginning of 1996, for use in the clinical analysis of specimens of what was believed to be foot-and-mouth disease. Because of the unwarranted delay caused when United Nations approval of all the requests made was not forthcoming, long after the outbreak of the disease had come and gone, Iraq lost an important opportunity to halt the spread of the disease at that time. This caused the destruction of livestock and economic losses on a very large scale, particularly since early diagnosis and

the identification of the strain of the pathogen involved contribute greatly to the speedy determination of the type of vaccine required for purposes of immunization.

6. Should the claim be made that there is a possibility of operating this plant at the present time, then whoever can contribute to the production of vaccine at this facility in its present condition has an open invitation, although the Iraqi authorities concerned are fully convinced that this is impossible in current circumstances. In this connection, it might be useful for the United Nations to give approval for representatives of Rhône-Merieux to make an assessment of the damage done to the plant and its equipment and to endeavour to put it back into operation.

The large-scale destruction of the plant's equipment has done a great injustice not only to Iraq but also to the countries of the region that were the direct and regular beneficiaries of its production. This is especially true since all the countries of the region have experienced epidemics of this disease (as the relevant international organizations are aware) and they have caused major economic losses. Iraq, in particular, is suffering from the effects of a disease that is incurring large-scale economic costs in terms of the quantities of red meat and dairy products lost, thereby exacerbating the suffering of many Iraqis already undernourished owing to the maintenance of the unjust embargo imposed on the country.

The Government of Iraq urgently requires the specialized agencies of the United Nations to provide sufficient quantities of vaccine to meet Iraq's immediate needs under the national plan for preventive vaccination against foot-and-mouth disease and so as to mitigate the suffering that will be caused by it according to the projections of specialists in Iraq on the possibility of new epidemics and in the light of reports of the disease in other countries of the region. All animals in Iraq will, of course, be susceptible to infection because they have not been immunized against the disease.

The Government of Iraq hopes that you will urge the specialized agencies of the United Nations to undertake to supply Iraq, with all necessary dispatch, with sufficient quantities of vaccine to halt the epidemic of foot-and-mouth disease threatening livestock in the country.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

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LETTER DATED 12 APRIL 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the statement of the Supreme Command of the Army of Yugoslavia (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

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Annex

Statement by the Supreme Command of the Army of Yugoslavia

The rage of the aggressors, dreaming of a new world empire, is increasing with every passing day. Contrary to their expectations, the Serbian and Montenegrin peoples have not succumbed to the barbaric aggression of missiles and bombs. The damage done by the criminals to our country is increasing, the work created through sweat and deprivation by many generations perishing in ruins and flames. This only stiffens our resolve to preserve the right to freedom in an independent State.

Unable to defeat us by the cowardly technology of killing from afar, the enemy is preparing a new variation of aggression which - unless prevented - will bring an even greater bloodbath to Balkan countries.

From among the refugees and citizens of Albania that he expelled from their homeland by bombs, the self-proclaimed world gendarme is recruiting followers of a Greater Albania utopia. He is arming and training them for the role of cannon fodder in the planned land invasion over the border of the Federal Republic of Yugoslavia. He is taking their families for temporary accommodation until the psychological and military-material conditions have been prepared for their so-called "safe return" to Kosovo and Metohija.

It is being announced that the wave of refugee Albanians to their homeland would be followed by the armed forces of NATO and the reorganized "KLA". The undisguised collusion of the leadership of the United States with the terrorist organization should, in the new phase of aggression, save the United States, British and other NATO conquerors from sending their own soldiers to an extremely risky and totally unjustified Balkan ground battle. And the repeated fanning of propaganda manipulations in world public opinion about the ethnic cleansing of Albanians and the suffering of Albanian refugees alone serve the psychological preparation for a new phase of aggression.

Those plans represent an even deeper deadly suffering for the people of this vulnerable part of Europe. The use of refugees as a human shield is not only a new gross violation of international law, but also an introduction into a general inter-neighbour slaughterhouse among the peoples threatened by the idea of Greater Albania.

If the Washingtonian bellicose pretenders to the rule over the world have obviously learned nothing from their experience with the Afghan Taliban and are now seeking to transform south-east Europe into a new mass-scale arena of war, all the responsibility of these heinous plans will lie on them and those who agree to be harnessed and pull that cart. Our defence will not step back from whichever available possibility to protect its State and soil on which it has already defeated much superior invaders on many occasions.

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LETTER DATED 8 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to bring to your attention a statement made on 7 April 1999 by the Minister for Foreign Affairs of Germany, Joschka Fischer, on the situation in Kosovo (see annex).

The Foreign Ministers of France, Italy, the United Kingdom of Great Britain and Northern Ireland and the United States of America agreed to the statement. It contains these States' reaction to the announcement by the Federal Republic of Yugoslavia of a unilateral "ceasefire" during the Orthodox Easter holidays.

I would be grateful if the text of the present letter and its annex were circulated as a document of the Security Council.

(Signed) Dr. Dieter KASTRUP
Ambassador

Annex

Statement made on 7 April 1999 by the Minister for Foreign Affairs of Germany

The current military action of the North Atlantic Treaty Organization (NATO) against the Federal Republic of Yugoslavia is in support of the political aim of the international community: a peaceful, multi-ethnic, democratic Kosovo in which all its people live in security.

The ceasefire by the Yugoslav army in its operations against the Kosovo Liberation Army called by Belgrade authorities does not cover the activities of Serb police and paramilitaries. Belgrade's proposal provides an insufficient basis for achieving the international community's objective cited above. Specifically, Belgrade's proposal leaves unanswered the following questions:

Is Milosevic prepared for verifiable cessation of all combat activities and killings?

Is Milosevic prepared to withdraw military, police and paramilitary forces from Kosovo?

Is Milosevic prepared to agree to the deployment of an international security force?

Is Milosevic prepared to permit the unconditional return of all refugees and unimpeded access for humanitarian aid?

Finally, is Milosevic prepared to join in putting in place a political framework for Kosovo on the basis of the Rambouillet accords?

Belgrade's proposal for a ceasefire will be without significance unless it is accompanied by positive answers to the above questions.

We look for such answers from Belgrade immediately. We also call for the release of Dr. Rugova and all of his family, and the ability of the international community to meet with him outside Yugoslavia under conditions free of possible intimidation.

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LETTER DATED 9 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to bring to your attention the conclusions of the Special General Council of the European Union on the situation in Kosovo set forth on 8 April 1999 (see annex).

I would be grateful if the text of the present letter and its annex were circulated as a document of the Security Council.

(Signed) Dieter KASTRUP
Ambassador

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Annex

Conclusions of the Special General Council of the European Union set forth on 8 April 1999 on the situation in Kosovo

The Council is appalled by the human tragedy inflicted upon the population of Kosovo by the criminal and barbaric acts being perpetrated by the authorities of the Federal Republic of Yugoslavia and Serbia.

In the face of extreme and criminally irresponsible policies, and repeated violations of resolutions of the Security Council, the use of the severest measures, including military action, has been both necessary and warranted. The North Atlantic Alliance is taking action against military targets in the Federal Republic of Yugoslavia in order to put an end to the humanitarian catastrophe in Kosovo. The European Union (EU) emphasizes that the responsibility for the armed conflict that is now taking place lies entirely with President Milosevic and his regime, who and which deliberately worked to destroy the chances of a diplomatic settlement which others strove so hard, and so exhaustively, to bring about. All those who planned, authorized and executed this brutal campaign of forced deportation, torture and murder should be held personally accountable and be brought to justice before the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

The Council recalled its conclusions of 25 January and 21 February, including on the strengthening of economic sanctions.

President Milosevic knows what he has to do, namely:

(a) Ensure a verifiable stop to all military action and the immediate ending of the killing;

(b) Ensure the withdrawal from Kosovo of the military, police and paramilitary forces;

(c) Agree to the stationing of an international military peacekeeping presence;

(d) Agree to the unconditional return of all deportees and unhindered access to them by humanitarian aid organizations;

(e) Provide credible assurance of his willingness to work on the basis of the Rambouillet agreement on the establishment of a political framework agreement for Kosovo in conformity with international law and the Charter of the United Nations.

EU will not accept the success of a policy of deportation and destruction of a people for brutal nationalistic purposes.

The Council is deeply concerned about the conditions of displaced persons forced to live in the open within Kosovo. While they remain within the borders

of the Federal Republic of Yugoslavia, their humanitarian needs are the responsibility of President Milosevic whom we hold to account for their survival. We deplore the recent closure of the Federal Republic of Yugoslavia borders on Albania and the former Yugoslav Republic of Macedonia to the refugees. It is just as unacceptable to compel the refugees by force to remain in Kosovo as it is to deport them.

The European Union fully supports the regional refugee concept of the Office of the United Nations High Commissioner for Refugees (UNHCR) as the lead agency for accommodating and assisting deportees close to their home, allowing them to return to their places of origin as soon as possible. At the same time, it recognizes the need to make the overwhelming task on the ground manageable by providing effective protection as extensively as possible within the region.

The Council recognizes that it might also, for humanitarian reasons and to avoid destabilizing individual host countries in the region of origin, prove necessary in the future to afford displaced persons protection and assistance outside their region of origin on a temporary basis. Any such humanitarian evacuations out of a neighbouring area must be based on the voluntary choice of the refugees to be temporarily relocated. In this context, the principle of family unity should also be applied.

In dealing with the consequences of the brutal and criminal deportation of hundreds of thousands of people, active regional solidarity and effective regional cooperation are paramount. In line with its solidarity and in addition to the substantial assistance already provided, the European Union will continue to assist the most affected countries of the region to counter the destabilizing effects of the flow of deportees. The Council welcomes the communication by the Commission of 7 April to this effect and urges the speedy implementation of this assistance package for neighbouring Governments, in particular in Albania, the former Yugoslav Republic of Macedonia and Montenegro. This assistance amounting to up to 250 million euros involves the mobilization of the reserves of the Community budget for emergency assistance and includes up to 150 million euros for the EU humanitarian effort for the victims of the Kosovo crisis and up to 100 million euros in the form of refugee-related support. The Council welcomes the intention of the Commission to work in close coordination with other donors including international financial institutions to maximize the efficiency of this specific and conditional assistance, inter alia, through macroeconomic support.

The European Union and its member States are working with the international financial institutions to alleviate the exceptional burdens of the countries most affected. The European Union remains gravely concerned about the repercussions of the deportee exodus from Kosovo on the stability of the region as a whole.

A political solution to the Kosovo crisis must be embedded in a determined effort geared towards stabilizing the region as a whole. South-eastern Europe needs a stability pact opening the door to a long-term political and economic stabilization process. Such a broad-based strategy could take advantage of existing regional initiatives.

Taking account of the good progress made in the cooperation agreement context, the Council invites the European Commission (EC) to report, in the context of the regional approach, on the upgrading of the EC's contractual relations with the former Yugoslav Republic of Macedonia including the option of an association agreement. The European Union welcomes the efforts of the former Yugoslav Republic of Macedonia to alleviate the plight of the deportees in the country and urges it to intensify these, so as to ensure humane conditions for all those suffering in this crisis. EU stressed the obligation of all Governments concerned to undertake such transfers of refugees or deportees only in full cooperation with UNHCR.

EU notes that the progress in stabilization and development in Albania will contribute to the further enhancement of EU-Albania relations, including programmes towards a future upgrading of contractual relations. The European Union warmly welcomes Albania's stated readiness to accept, in addition to the huge numbers already admitted, additional deportees currently in the former Yugoslav Republic of Macedonia and at the borders of the former Yugoslav Republic of Macedonia. The European Union will give technical and financial advice and assistance to aid Albania as much as possible.

The European Union underlines its concern over the situation in the republic of Montenegro. It reconfirms its full support for the democratically elected Government of President Milo Djukanovic, as well as its readiness to help Montenegro in coping with the flow of deportees. A part of the package is to be directed to Montenegro for humanitarian and budgetary aid. Any attempt by Belgrade to undermine the democratically elected Government of Montenegro will have the most serious consequences.

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NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

The personal remarks made by the Chairman of the panels established pursuant to the note by the President of the Security Council of 30 January 1999 (S/1999/100) in introducing the reports of the three panels (S/1999/356, annexes I-III) at the consultations of the whole of the Security Council held on 7 April 1999 are circulated herewith (see annex).

99-10384 (E) 130499

Annex

[Original: English]

Personal remarks by the Chairman of the Iraqi panels, Ambassador Celso Amorim

01. My intention in presenting to you the reports of the three panels is not to make a summary of the texts, which, I believe, speak for themselves. Rather, I thought it might be useful to make some comments of a personal character, more in the sense of my impressions, as Chair, of the discussions in the panels and of the process of elaboration of the reports. I would also like to offer some reflections on how the conclusions might help in shaping a possible renewed approach by the Security Council in relation to Iraq.

02. First of all I would like to stress the importance that each individual report be read as a whole. The reports were conceived bearing in mind the need to answer to the particular mandates the Security Council entrusted to the panels. The assumptions, assessments, recommendations and suggestions contained in the reports constitute an organic corpus, whose real meaning may be missed if one picks up isolated sentences.

03. These reports are the result of intensive discussions of groups of individuals who worked hard to discharge their mandates. I will do my best then to be faithful to the understandings reached within those groups, without eschewing expressing personal views that I formed due to my unique position as Chairman of the three panels.

04. In this respect, I would like to stress that consensus was not sought and reached at the cost of substance. Of course there was the necessary accommodation of different points of view and the learned eye will be able to identify compromise language or read between the lines. It is my opinion that in the three cases the panels managed to present a set of meaningful

recommendations that may contribute to focus the discussions in the Security Council on concrete issues.

05. I would also like to remind you that the three panels worked independently and there was no link – nor could there be any - between the reports during their elaboration. However the Security Council can and perhaps should make appropriate connections between the observations and conclusions of the three reports. Such links may indeed be necessary to allow the Security Council to develop a coherent new approach to the situation.

06. Finally, panel members had it made clear that their mandate implied that they had to work within the framework of existing resolutions. The Security Council clearly is not bound by those limitations.

Panel on disarmament and ongoing monitoring and verification

07. Panel members had in mind the technical nature of the panel's mandate. However, they recognized the political background against which their discussions were taking place, which includes, among other things, the current situation on the ground as well as proposals being discussed by the Security Council. They were also conscious of the political implications that some recommendations might have.

08. The panel did not try to reproduce or summarize other documents. The panel recognized that assessments were made on different occasions by the entities in charge of verification work in Iraq. These assessments, which remain available to all, were the object of consideration by the panel as part of "all existing relevant information".

09. Nevertheless, even if not mandated to proceed to a political assessment of compliance, panel members considered it important to have a broad overview of the work of UN/IAEA in Iraq in order to answer the question I had put to the Security Council and repeated to panelists, namely "while recognizing that there may be disarmament tasks to be carried out, wouldn't it be possible to perform those tasks, with a renewed approach, under a reinforced OMV?".

10. For that purpose, the panel was briefed by experts from UNSCOM and IAEA. The briefings and the discussions that followed concentrated on two aspects:

I) the result of the work done in Iraq in the last eight years (reflected in the paragraphs on achievements of the report). This showed how much was accomplished by the two entities in terms of uncovering and destroying the main elements of Iraq's proscribed weapons programmes;

II) the remaining/unresolved/unclarified or not sufficiently clarified aspects of proscribed weapons programmes. In this respect, there was an implicit, and sometimes explicit, recognition that there are outstanding disarmament issues. However, there were differences in the panel members' perception and understanding of remaining issues, including as regards their relevance to the overall verification process.

11. The panel did not seek to reach agreed conclusions in this regard, mainly because it considered it was not mandated to undertake such an assessment. In any case, even if there were more time to pursue such discussions, a consensus on identifying which are these issues and how important they are would have been very difficult. It is my view that such an exercise would not have been productive for the purposes that led to the establishment of the panel.

12. On the other hand, the report does provide an answer to the question mentioned above relating to the possibility of factoring unresolved issues into a reinforced OMV.

13. The conclusion, from a technical standpoint (which was the panel's perspective) was that such "factoring in" or "integration" is indeed possible, provided appropriate arrangements are made. Without engaging in a detailed technical discussion that seemed premature at that stage, panel members did agree on some parameters of a reinforced OMV, among them full access to locations, individuals and information, re-establishment of baselines, appropriate use of technologies, etc. These parameters are included in paragraph 42 of the report.

14. Panel members emphasized that the net effect of such an integrated approach, which should benefit from synergies and cross-fertilization between disciplines, might be to "enable rapid and effective work towards confirmation of Iraq's disarmament status". In other words, from a technical perspective, such refocusing of the patterns of work would not only be possible, but indeed desirable.

15. The panel also considered that refocusing or "relensing" the approach towards disarmament/ongoing monitoring and verification, without departing from the existing framework of rights and obligations laid down in Security Council resolutions, might offer the opportunity to enlarge the scope of options before the Security Council. Therefore, it can fairly be stated that such a refocusing would not only be technically viable, but might also be politically desirable. The final judgement rests, of course, with the Security Council.

16. The panel also stressed the urgency of finding a solution to the problem posed by the absence of inspectors in Iraq. It was obvious to panel members that "the longer inspection and monitoring activities remain suspended, the more difficult the implementation of SC resolutions becomes". The current absence of inspectors on the ground was seen as substantially increasing the risk that Iraq might try to reconstitute its proscribed weapons programmes. Accordingly, the panelists considered that any threat to the stability of the region that is attributable

to the absence of inspections will of course bring serious damage to the credibility of the UN. Most importantly, the panel concluded that "the status quo is not a practical alternative and recommends that efforts be made with a view to restoring an international inspection regime in Iraq that is effective, rigorous and credible".

17. In essence, the report presents one basic recommendation, namely, that a reinforced OMV be implemented to carry out further the objectives of SC resolutions in Iraq. This can and should be done within the frame of provisions of resolution 715 and the existing OMV plans as well as the other relevant resolutions (687, 707, 1051). The panel has also pointed out that Iraqi cooperation is required for the reconstitution of any regime that we might wish to implement. Effective support by the Council was also deemed essential for any system that is put in place.

18. In presenting these conclusions, the panel discharged itself of the mandate it had been given to devise "how to re-establish an effective disarmament/ongoing monitoring and verification regime in Iraq". The word "how" was frequently highlighted in the discussions. Let me point out, however, that the panel gave a reply exclusively for the technical "how" (to do it). The panel stressed that even the best system would be useless if it were to remain a blueprint on paper only. To be effective, any system has to be deployed on the ground, which is impossible without Iraqi acceptance. How this acceptance will be obtained, or, let's say what is the answer to the political "how", is a task for the Security Council. Nevertheless it is my view that the reply to the technical "how" is not irrelevant to the discussion on the political "how".

19. In parallel to the reply to the central question outlined previously and as part and parcel of the system proposed, some important suggestions were made with regard to organization and methods of work and much time was devoted to this end. These suggestions refer basically to the restructuring the Commission as a collegiate body, some functions it might perform, questions related to recruitment,

training and dealing with information from various sources as well as other practices and procedures. As stated before, the panel examined those adjustments within the existing legal framework, including with regard to nomenclature, without prejudice to any future Security Council decision. Limitations aside, it is my view that these suggestions should not be taken lightly, in spite of the cautious diplomatic – but by no means opaque - language in which they were couched. The panel recommends that the Security Council give due consideration to them and I would strongly encourage the Council to do so.

Panel on the current humanitarian situation

20. The second panel, on humanitarian issues in Iraq, based its assessment of the present living conditions of the Iraqi people on a variety of indicators obtained through a series of documents and briefings. The report of the panel summarizes this quantitative information, while also reflecting certain qualitative aspects that were brought to its attention.

21. The panel did not attempt to substitute or duplicate for the regular reporting by the Secretary-General on the subject, in the context of the 986 humanitarian programme. Its mandate, in fact, did not request it to do so. Instead, the panel decided, in strict conformity with its mandate, to take a broader perspective and sought to identify trends, by comparing the situation in Iraq before the Gulf war, with the aftermath of the war and the present situation. It is understood that the comprehensive sanctions regime is a central element of the whole picture.

22. The panel established a conceptual distinction between deprivations that affect the coping mechanisms of a given society as a result of natural or man-made disasters – which are qualified as matters of humanitarian concern – and other situations. In this context, without ignoring the responsibility of Iraq for the events that led to the present situation, the panel considered that the social and economic

decline of Iraq and its effects on the Iraqi people's living standards cannot be dissociated from the cumulative impact of widespread war damage and prolonged economic sanctions. In the absence of those the situation in Iraq would probably not be treated as a humanitarian one, and most likely would be dealt with, if at all, as a matter for development assistance.

23. Although there could be a margin of error for certain individual data – and this is explicitly admitted in the report - the panel believes that the information received from UN agencies, NGO's and individuals converge to form a coherent picture. In short, as pointed out by UNDP – and quoted in the report – "the country has experienced a shift from relative affluence to massive poverty" in the last decade. Essentially the same evaluation, albeit in different words, was to be found in the submissions by other agencies and bona fide NGOs, such as the ICRC.

24. Present humanitarian efforts authorized through resolution 986 and successive resolutions have made an impact in arresting the decline in malnutrition and health problems, but the situation can only be said to have at best stabilized if one considers the country as a whole. Other indicators continue to deteriorate.

25. The report does not exempt the Government of Iraq from its responsibilities and therefore includes a set of recommendations directed at the Government. At the same time, the panel believes that member States should not shun their collective responsibility in the face of the acute humanitarian needs of the Iraqi people. In this spirit, and within the general framework set by SC resolutions, a number of recommendations have been put forth in section IV of the report which I believe would have a meaningful impact, especially if taken as a package. It should be noted, however - as in the report's final paragraph – that the humanitarian situation of the Iraqi people will continue to be a dire one in the absence of a sustained revival of the Iraqi economy – which in turn cannot be achieved on the basis of international humanitarian efforts alone.

26. I should clarify that some of the recommendations by the panel can be implemented within the present framework of resolutions while others may require adjustments, within the same basic philosophy. The panel did not seek to distinguish explicitly between these two categories. As follow-up action, and once the gist of recommendations is agreed upon, I would suggest that a group of experts might be established to examine certain technical and legal aspects involved in the implementation of some of the recommendations.

Panel on prisoners of war and Kuwaiti property

27. It must be stressed that the panel, mainly for practical, but also for conceptual reasons related to the humanitarian nature of the issue, did not engage in an investigative work of its own. Consequently, it had to work on the basis of information provided during the briefings or by written submissions. Some of the oral briefings were supplemented by documents presented to the panel, as in the case of Kuwait and Saudi Arabia.

28. In order to have a clear picture of the legal framework in which the questions are inserted, it was deemed convenient to have a compilation of relevant SC resolutions and international humanitarian law provisions. This included documents relating to the creation of the Tripartite Commission, which are important for the complete understanding of the issue. In this regard, you will find references to the different terminology used in various documents, which carries different legal implications.

29. It is important to note that, during all its work, the panel had to deal with the information obtained, bearing in mind its confidentiality. Due to the humanitarian nature of the issue, such highly sensitive information was shared on the basis of mutual trust. It also had to face discrepancies in figures provided by the parties involved, including conflicting information relating to the status of the unaccounted

for. Notwithstanding these difficulties, the report of the panel provides the Security Council, I believe for the first time, with a comprehensive compilation of data on both POWs and property.

30. On the question of Kuwaiti property, it was noted that a number of items seized by Iraq during the occupation had been returned through the Secretariat. With reference to some military equipment and to the official archives, however, explanations provided by Iraq were either not fully convincing or totally absent. This fact did not allow the panel to conclude that Iraq has fully complied with its obligation to implement paragraph 2 of Security Council resolution 686. The panel recommended that a focal point in the Secretariat be responsible for updating information concerning items yet to be returned. Based on this data, the Secretary-General would report on progress on the return of property to the Security Council.

31. The issue of prisoners of war, or missing persons, as unanimously affirmed by those heard by the panel, is a humanitarian one that should not be politicized. In this regard, the ICRC role is to be preserved and respected, especially as concerns the limits of its involvement in a process that is seen or might be seen as politicized.

32. The panel recognized that the Security Council should be kept informed of the question of the "persons unaccounted for" (to use the expression preferred by the ICRC). To that effect, it proposed a mechanism by which the Secretary-General would periodically report on the situation. The guidelines of such a report, conceived mainly as a motivational factor, aimed at fostering cooperation among the parties, are contained in paragraphs 50 and 51. The panel also noted that constant pressure arising from too frequent reports or from the political discussion that would almost inevitably follow them might not be helpful in the efforts at effectively bringing to a closure this essentially humanitarian issue.

33. Conscious that this is a very sensitive and complex question, the panel hopes that the considerations of the report as well as the mechanism suggested therein can be received as an inducement for possible solutions. A positive development in this question, apart from immediate and most important effects to the families of the unaccounted for, would have a favourable impact in the confidence-building process, thus allowing for the amelioration of the relationship between the countries of the region and, consequently, for the gradual improvement of the overall geopolitical situation.

CONCLUSIONS

34. For more than a year now, the SC has been grappling with the question of how to maintain a unified stance towards the Iraqi problem. At least on three important occasions Security Council members were able to display such unity: in February 98, when the Memorandum of Understanding, signed by the Secretary-General and the Iraqi Government, was endorsed by Resolution 1154; in the last day of October, when Security Council members expressed their initial views on the comprehensive review; and in November, when the Security Council unanimously condemned Iraq's decision to cease cooperation with UNSCOM and continue to restrict the work of IAEA (Res. 1205). On other occasions, unity was not so clear. It was certainly absent following the episodes of December last.

35. The constitution of the panels reflected a desire of Security Council members to try to unblock discussions in the Council. At that time, the Council was engaged in discussing options which would lead to the full implementation of all relevant SC resolutions. Proposals had been made to that effect but consensus seemed elusive. The panels' reports may offer the Security Council an opportunity to focus on concrete options to move forward and, hopefully, to find its way back towards unity.

36. The first panel concluded that, after eight years in Iraq, much has been achieved, while recognizing the existence of unresolved issues. Reference was made to a possible "point of impasse" in the further investigation of these issues under the current procedures which might correspond to an apparent diminishing return in recent years, whatever the causes.

37. Comprehensive sanctions have also been in place for eight years, and the humanitarian situation in Iraq is a bleak one, as illustrated by the second panel. In the present circumstances, the picture is one of no inspections, no monitoring, and, therefore, no guarantee that peace and security in the region may not come under threat, including from weapons of mass destruction. Other questions remain unresolved, notably the question of those "unaccounted for" (whether they are POW or missing people). In short, the objectives of Security Council resolutions are not being fulfilled. This leads us to the question whether a changed or new approach might not contribute to achieve the objectives set forth in SC resolutions.

38. The recommendations contained in the reports are important and, taken as a package, may offer solutions to some pressing problems. However, and this is especially true of the panel on disarmament/ongoing monitoring and verification, they have to be seen as tools. And tools are only helpful if they are put into use.

39. In its last paragraph, the report on disarmament/ongoing monitoring and verification sends back to the Security Council the question this body had presented to the panel, although in a redefined manner: "how, from a political point of view, to implement the reinforced OMV?". It had clearly pointed out in a previous paragraph that the reinforced OMV system, in itself, was not conceived as an enticement for Iraqi cooperation. Therefore, inducements or enticements, if they are to be sought, have to be looked for elsewhere. I have already referred to the possible links between the observations and conclusions of the different reports and the clue for making Iraq accept a reinforced OMV may lie precisely in those links.

40. The report of the first panel recognizes that outstanding disarmament issues remain. On the other hand, as alluded to during the discussions, there may be an inherent difficulty of ever reaching the point in which the Security Council will have 100% certainty that "Iraq has completed all actions contemplated in paragraphs 8 to 13" of resolution 687, as stipulated in paragraph 22 of that resolution. However, as we are all aware, paragraph 21 of resolution 687 may offer enough flexibility, if the Security Council so decides, for a new approach. An approach that provides for an acceptable level of assurance in relation to proscribed weapons, with effective inspections under a reinforced OMV, and at the same time permits substantively to improve the living conditions of the Iraqi people, bringing it into some degree of normalcy, while other objectives such as the ones of panel 3 continue to be pursued.

41. Finally, the question of how to engage Iraq has to be addressed, "sooner rather than later", as one of the reports points out. This will certainly not be an easy task, given the attitude of Iraqi authorities, particularly after the events of December 1998 and the incidents of a military nature that continue to occur. As Chairman, I had to deal with the Iraqi position of not being concerned by the panels, which did not allow for a formal participation of Iraq in their work. Apart form anything that the Security Council may devise, possibly making use of links I alluded to, it is my personal view that an effort of "healing diplomacy" will have to be made. For that purpose, the assistance of the Secretary-General may be of great value.

42. To sum up, the status quo is not a viable option. The panels were an honest and fair attempt to offer concrete recommendations on which the Security Council can focus in dealing with the Iraqi question. These recommendations, taken globally, may provide answers to pressing problems. But a lasting solution to the question of Iraq goes beyond what was possible to suggest within the panels' terms of reference. As said before, looking at the reports as a whole, including the possible linkages between them – something the panels could not do – the Council

may come with more comprehensive solutions, as part of a new or changed approach in pursuing the goals of its resolutions. By doing so, the Council may not only improve the chances of a lasting peace in that particular region, but also rediscover its unity, while enhancing its credibility as the body with the primary responsibility for maintaining peace and security in the world at large.

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FIFTH REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS MISSION IN THE CENTRAL AFRICAN REPUBLIC

I. INTRODUCTION

1. The Security Council, by paragraph 3 of its resolution 1230 (1999) of 26 February 1999, decided to review every 45 days, on the basis of reports from the Secretary-General, the mandate of the United Nations Mission in the Central African Republic (MINURCA) in light of the progress achieved towards implementation of commitments made by the President of the Central African Republic to the Secretary-General in his letter of 23 January 1999.

2. In paragraph 18 of resolution 1230 (1999), the Council requested me to submit the first report by 15 April 1999. The present report therefore describes developments in the Central African Republic since my last report was submitted on 29 January 1999 (S/1999/98).

II. POLITICAL ASPECTS OF DEVELOPMENTS IN THE CENTRAL AFRICAN REPUBLIC

3. As described in paragraphs 2 and 3 of my report to the Council of 29 January 1999, the legislative elections of 22 November and 13 December 1998 resulted in the almost equal division of the 109 seats in the National Assembly between the Mouvence Présidentielle and the opposition. The resulting impasse led to a protracted dispute over the distribution of posts in the Bureau of the National Assembly. The main issue between the parties concerned the first vice-presidency of the National Assembly. Although, at the 3984th meeting of the Security Council, on 26 February 1999, the Permanent Representative of the Central African Republic announced that the post had been offered to the opposition, the Permanent Representative later withdrew his statement. However, the return of opposition legislators to the Assembly on 2 March, and their participation in the seven standing commissions of the National Assembly has somewhat helped to reduce tensions. Since then, the opposition has actively participated in the elaboration of several draft laws fundamental to the reform process.

4. The new Government, led by Prime Minister Anicet Georges Dologuele, who was nominated by President Ange-Félix Patassé on 15 January 1999, has been

functioning with considerable cohesion. Prime Minister Dologuele took advantage of the initial opposition boycott of the Government to include within it a number of members of civil society, as well as technocrats without strong party affiliation.

5. In view of the concerns expressed by members of the Security Council at the time of the adoption of resolution 1230 (1999), my Special Representative has stressed to President Patassé the importance of implementing the commitments he has made to me, notably in his letters dated 23 January 1999 and 8 January 1998. My Special Representative also stressed that the continuing presence of MINURCA in the Central African Republic would depend on the Security Council's assessment of progress, on the basis of reports I would submit every 45 days, beginning with the present report. The President and the Prime Minister assured my Special Representative that they would make every effort to fulfil their undertaking and meet the deadlines established by the Security Council for the implementation of various aspects of the reform process.

Electoral Process

6. Though the 1998 legislative elections were generally considered free and fair, subsequent reports by MINURCA and by the Mixed and Independent Electoral Commission (CEMI), which organized the elections, identified a number of shortcomings and proposed recommendations for the improvement of the electoral process. These proposed improvements included the speedy establishment of a smaller and more efficient CEMI, the thorough revision of the electoral roll and the modification of the Electoral Code.

7. On 9 March, a team of United Nations electoral experts visited Bangui to assess preparations for the presidential elections and to draw up, in cooperation with the Government, a concept of operations and timetable for United Nations action in support of the elections. The team leader met with President Patassé during the visit.

8. The team found that the establishment of a proper electoral roll would ideally require a fresh census of voters to be taken. However, this would appear to be too time-consuming and costly a process to be feasible. The matter will have to be decided by CEMI at an early date.

9. On 2 April 1999, President Patassé signed a decree establishing a new CEMI with 27 members, including nine from the Presidential majority, nine from the opposition and others, including independents and members of government ministries. The decree took into account many of the agreements reached in discussions among the political parties, some of which were presided over by my Special Representative.

10. Though the new CEMI is generally considered to be more efficient and politically balanced than its predecessor, opposition supporters have objected to the provision of the decree that retained local sous-préfets as chairmen of the local CEMI bodies. This is contrary to one of the inter-party agreements, which had proposed instead that President Patassé should appoint neutral personalities to head the local bodies. For its part, the Government asserts that it is difficult to identify qualified "neutral" persons in the

sub-prefectures, and that the chairmen of local CEMI bodies must be in a position to facilitate the necessary logistical, transportation and communications operations required to support the conduct of the election in the countryside.

11. My Special Representative has devoted particular attention to assisting the parties to resolve this question, which is blocking the inauguration of the new CEMI, to enable it to commence playing its central role in deciding on the dates, the electoral list and the budget for the election. MINURCA, along with the donors, has appealed to the Government and the opposition to revive their dialogue in a constructive spirit that would permit agreement to be reached as a matter of urgency. In this connection, MINURCA is assuring the opposition that the international electoral observers to be deployed starting next month (see paras. 14 and 15 below) will also pay close attention to the functioning of CEMI at the local level to ensure the impartiality of the local chairmen.

12. On 9 April, my Special Representative and the major donors, the representatives of China, Egypt, France, Japan, the United States of America, the United Nations Development Programme (UNDP) and the European Union, met with President Patassé, the Prime Minister and other ministers to address this problem and to impress upon the President their misgivings. In particular, the donors expressed regret that the presidential decree on CEMI had failed to take into account some of the recommendations reached by consensus by all political groups in the country, particularly with regard to the appointment of the sous-préfets as heads of the local CEMI bodies. The donors called for the resumption of dialogue with a view to reaching an acceptable compromise on CEMI, as well as on the electoral code, and emphasized the need to avoid interference by the executive in the management of the electoral process.

United Nations role in the presidential elections

13. In preparation for the presidential elections, MINURCA, in cooperation with United Nations electoral experts, has prepared a plan to provide assistance to and international monitoring and verification of the electoral process. The plan envisages the deployment to a total of eight permanent and two temporary sites in the countryside of some selected troops of the Central African Armed Forces (FACA), as well as MINURCA military and civilian elements. In all, a total of three FACA companies, comprising altogether 360 men, will need to be selected and trained for this purpose. A budget proposal based on the plan is being prepared.

14. Owing to the delay in the establishment of CEMI and, consequently, in key decisions such as the date of the elections, some elements of the United Nations plan remain to be finalized. It is, however, envisaged that the United Nations would deploy 26 medium-term observers three months before polling day, that is, starting in the month of May. It is further envisaged that up to 150 observers would be deployed for the first round of the elections and up to 200 during the second round. In accordance with the Constitution of the Central African Republic, the first and second round of the election should take place in August and September respectively.

15. The sites at which the observers would be deployed have already been identified as follows, permanent sites: Berberati, Bouar, Bangassou, Bambari, Kagabandoro, Bossangoa, Bozoum and Mobaye; temporary sites: Nedel and Birao. At each of the permanent sites MINURCA will deploy 32 personnel, including 28 military. In order to create a secure environment, it would also be necessary to deploy 30 FACA troops at each of the permanent sites, with a further 120 FACA troops deployed in Bangui as a rapid reaction element. Ten MINURCA personnel will be deployed at each of the two temporary sites

16. Additional international personnel and logistical resources will also be required. I intend to request Canada and Egypt to deploy 84 additional military communications and logistics personnel. Each site will need to be provided with vehicles, including some heavy trucks during the deployment phase, and additional helicopters and cargo aircraft will also be necessary. I intend to proceed with the necessary arrangements on the understanding that the final plan for the United Nations role in the elections, coordinated with UNDP, will be contained in my next report to the Council, when a further assessment will be made of the preparations made so far by the Government and CEMI. In the meantime, the MINURCA electoral unit is now in the process of being re-established.

Human rights

17. Although the human rights situation in the Central African Republic has continued to be generally stable, human rights education programmes to disseminate the culture of peace and tolerance are expected to acquire increasing importance as the electoral campaign progresses. In this connection, a human rights information and awareness campaign has been conducted on Radio MINURCA in French and Sango. Human rights education also continued as part of the curriculum of the MINURCA civilian police component (CIVPOL) training for the National Police and the Gendarmerie.

18. Reports of human rights abuses committed by security forces, particularly by the presidential guard (Special Defence Force of the Republican Institutions (FORSDIR)), continue to be received. MINURCA has drawn the provisions of resolution 1230 (1999) concerning the limitation of the role of FORSDIR to the Government's attention. Furthermore, consideration is being given to extending the human rights instruction now provided by CIVPOL to police officers and gendarmes to members of the armed forces, including FORSDIR, in the context of restructuring (see section IV below). In the meantime, the Government has taken some tentative steps to curtail abuses by withdrawing FORSDIR from roadblock duties. MINURCA has made clear to the authorities its wish to see gendarmes and police officers who have completed the CIVPOL retraining course to be posted wherever possible to replace FORSDIR.

19. MINURCA has also received several allegations of violations of freedom of the press, including the search by police of newspaper offices, as well as limitation of access to the media imposed on opposition party members. On being informed by MINURCA of these allegations, the Prime Minister invited the opposition parties to discuss with him modalities and guidelines for equitable access to the media. In this connection, the appointment of the members of the Haut Conseil de Communication, which is responsible for ensuring the freedom and

transparency of information and communications, should improve the situation. The creation, on 31 March 1999, of the High Commission for Human Rights, under the supervision of the Prime Minister, to coordinate national human rights matters is intended to replace the Human Rights Ministry, which was abolished in January 1999.

20. The human rights section of MINURCA, which currently comprises two staff members, has also held several meetings with government officials to discuss the conduct of a national seminar on the impact of human rights in the reconstruction process, to be followed by the adoption of a national plan of action on human rights. The Government has welcomed the seminar, which is scheduled to take place in May with funding provided by UNDP.

Information

21. Since the adoption of resolution 1230 (1999), MINURCA's public information activities have intensified in order to explain to the people of the Central African Republic the key elements of the reform process, as well as the purpose and activities of the United Nations in the country. To this end, Radio MINURCA broadcasts regular addresses by my Special Representative and his senior staff, as well as a weekly press conference.

22. The role of Radio MINURCA will become increasingly vital as the presidential elections approach. As was the case during the legislative elections, radio will be the main source of voter education and electoral information.

23. The MINURCA Information Unit has held discussions with the Ministry of Information with a view to working out further areas of cooperation on matters of mutual interest between MINURCA and the host authorities. Seminars are being planned for national journalists to improve their knowledge of the United Nations system, particularly in the area of peacekeeping operations. At the same time, a sensitization campaign aimed at local educational institutions and non-governmental organizations (NGOs) has been initiated. It will also be necessary to significantly extend the range of Radio MINURCA, which at this point cannot broadcast to the whole of the country.

III. MILITARY AND SECURITY ASPECTS

24. The Central African Republic and its capital, Bangui, have remained calm during the reporting period. So far, concerns arising from the possible spill-over of the conflict in the Democratic Republic of the Congo have been allayed. According to information available to MINURCA, the parties to the conflict in the Democratic Republic of the Congo have made no further use of the territory or the airports of the Central African Republic, thus reducing the serious risk of an extension of the conflict to its territory.

25. MINURCA has put into effect a new deployment plan in Bangui with improved accommodation for the troops. Redeployment will be completed by the end of April.

Disarmament

26. Although the Ministry for Disarmament of the Central African Republic is undertaking missions into the interior of the country to extend disarmament operations, there has recently been a reduction in the volume of arms and ammunition collected. MINURCA is discussing with UNDP a possible increase in the financial support it has been providing to the disarmament programme.

27. MINURCA has destroyed a large quantity of ammunition and explosives collected during the disarmament process. Since the adoption of resolution 1159 (1998) on 27 March 1998, more than 20,000 cartridges and some 1,000 pieces of ordnance have been destroyed. In the case of weapons that temporarily remain in MINURCA custody, it is pertinent to mention that the heavy arms, in general, are in good condition and that most were looted from the national armoury. However, most of the 1,470 small arms recovered are in poor condition. I strongly believe that those considered unserviceable should be destroyed without further delay, and intend to arrange for their destruction in consultation with the Government.

Civilian police component

28. CIVPOL has continued its training programme for the police and gendarmerie of the Central African Republic, with a view to strengthening their capacity and effectiveness within the framework of the restructuring of the National Police and security forces. So far, 225 gendarmes and 159 police officers have fully completed their training. In addition, 44 gendarmes and 172 police officers are currently pursuing United Nations-supervised training courses in the National Training Centre for the Gendarmerie and the National Police College respectively. Those who had completed their training in the earlier courses have been deployed in the interior of the country to strengthen public security. Within the framework of the restructuring process for the security forces, a plan has been elaborated in accordance with the general global restructuring programme as defined by the joint Government/MINURCA committee on restructuring. It is expected that the plan will soon be approved along with a calendar for implementation and follow-up action. It will be important to ensure that arrangements are in place to ensure the necessary funding for the equipment and infrastructure required for the police to operate in accordance with their training. Without effective follow-up, there is a risk that CIVPOL's training efforts will be wasted.

IV. RESTRUCTURING AND DEMOBILIZATION OF THE ARMED FORCES

Restructuring

29. Four draft laws on the restructuring of the armed forces, prepared by a joint Government/MINURCA commission, were submitted to the National Assembly for adoption on 31 March. The drafts concern the basic concept of national defence; the operational organization of national defence; the creation of a Supreme Council on National Defence; and crisis management. In accordance with the accelerated procedure put in place for the adoption of the draft laws, voting in the National Assembly is expected to begin during the week of 12 to 16 April.

30. Following the completion of the texts, a MINURCA technical committee has been working on some concrete elements of technical assistance and advice to the authorities of the Central African Republic responsible for restructuring the armed forces.

Demobilization

31. The National Programme for the Demobilization and Reintegration of the armed forces is now about to enter the demobilization phase, for which supplementary financial resources will be needed, including from international donors. On 23 February, my Special Representative convened a meeting with the officials responsible for the programme and with UNDP in order to explore possible sources of funding. Moreover, PNDR, in collaboration with some NGOs, has begun work on a project to facilitate a return to civilian life of the first group of demobilized soldiers, including a sensitization campaign. MINURCA has also been instrumental in establishing a commission on restructuring to assist the Government to formulate projects as part of the demobilization process.

V. ECONOMIC ASPECTS

32. From 16 to 26 February 1999, an International Monetary Fund (IMF) mission visited to resume discussions for the mid-term review under the first annual enhanced structural adjustment facility (ESAF) arrangement. The arrangement was approved by the Fund's Executive Board in July 1998, but the previous mission, in October 1998, could not complete the review discussions because of the slippages in the implementation of the programme, both in the financial and the structural areas. Staff from the World Bank and the African Development Bank participated in most of the policy discussions with the authorities.

33. Progress has been made in recent months in implementing the programme and meeting the targets that had been set for end-September 1998. In particular, the authorities have completed the liquidation of several public enterprises; finalized the validation of domestic debt and arrears; made key strides in the banking sector restructuring (sale of the Banque internationale pour le Centrafrique (BICA) and issuance of tenders for the privatization of the Union bancaire en Afrique centrale (UBAC)); and completed the closure of all but one of the commercial banks that have ceased activity. The conclusion of the review discussions remains subject to several prior conditions, including confirmation of the improved control over public finance and finalization of key structural reform measures. Specifically, these include an assessment of financial performance through end-March 1999, especially concerning government revenue collection and the servicing of non-reschedulable external debt; finalization of the sale of the petroleum distribution network (privatization of the State oil company, PETROCA); and the adoption of measures to address the projected deficit of the cotton sector.

34. The protocol on the privatization of PETROCA was signed on 11 March 1999 between the Government and the oil companies Elf Total and Shell. The annex containing the mechanism determining retail consumer prices acceptable to all parties, i.e. the Government, the new owner and the consumers at large, is being worked out. Furthermore, the law on privatization is to be amended in

Parliament to bring the PETROCA protocol into application. The completion of the privatization of PETROCA is expected to take place at the end of May.

35. To support the authorities in their adjustment and reform efforts, IMF has provided technical assistance in the fiscal area. Three technical assistance missions visited Bangui in 1998 and 1999, and provided detailed recommendations on ways to improve government revenue collection performance (both in the tax and customs administrations), and to prepare for the introduction of a value added tax, in replacement of the present turnover tax, on 1 July 2000.

36. Recent data supplied by the government authorities to IMF suggest that a certain amount of progress is under way, both with respect to fiscal performance and the privatization of PETROCA. In addition, a package of measures in the cotton sector is expected to be announced soon. If all required conditions are met by the end of April 1999, a report could be submitted soon thereafter to the IMF Executive Board, for consideration in mid-May. In turn, a successful conclusion of the mid-term review under the enhanced structural adjustment facility arrangement could also unblock additional programme assistance from the World Bank (under a possible structural adjustment credit) and, at a later stage, subject to the clearance of debt payments arrears, from the African Development Bank.

VI. OBSERVATIONS

37. The Government of the Central African Republic continues to make some progress in carrying out the reforms it has pledged to make, but progress has been slow. Though the situation remains calm and the country remains an island of relative stability in the region, intense distrust among the country's political leaders persists while the economic and social situation remains precarious.

38. In section IV of my report of 29 January (S/1999/98), I outlined the main steps the Government was expected to take in order to demonstrate adherence to the commitments made to me by President Patassé. Of these, some have been partially achieved. They include the participation of the opposition in the National Assembly; the submission for adoption by the Assembly of draft laws on the restructuring of the armed forces; and some progress towards privatization, particularly in the case of the state oil company PETROCA.

39. Nonetheless, further action is urgently required to bring these issues to a satisfactory conclusion, especially the early adoption and speedy implementation of the draft laws on restructuring and the conclusion of the nationalization process in respect of PETROCA. The more effective collection of government revenue and the continued regular payment of salaries are also urgently necessary in order to fulfil the requirements of the international financial institutions.

40. I note the withdrawal of units of FORSDIR from roadblock duties, pursuant to the request made by the Security Council in paragraph 12 (b) of its resolution 1230 (1999). However, since complaints of FORSDIR transgressions continue to be received, I call on the Government, without delay, to take the

further action necessary to ensure that FORSDIR is excluded from all police and law-and-order functions. These should be performed by the police, who are receiving human rights and other training from CIVPOL. MINURCA will also accelerate the selection of suitable FACA personnel and their training for election-related duties.

41. The imminent adoption of the laws on the restructuring of the armed forces is a major step in the right direction. Though the Government has made budgetary provision in the 1999 budget for the restructuring programme, it will remain heavily dependent on donors for the funds necessary to complete restructuring. I therefore renew my appeal to donors to contribute to this important process, which will help to stabilize the security situation in the Central African Republic and in the subregion as a whole, as well as during the conduct of the presidential elections later this year. I further wish to make a strong appeal for contributions to support the Central African police force in order to allow its officers to put the training provided by CIVPOL to good use.

42. Some progress has been made with respect to the forthcoming presidential elections scheduled to take place in August/September. The decree on the creation of CEMI is to be welcomed, and the streamlining of its membership is a positive development. However, the late start in inaugurating the new CEMI has delayed all the resulting decisions regarding funding, the revision of the electoral register, practical and logistical preparations and even the date of polling. At the same time, the objections expressed by the opposition concerning local control of CEMI by sous-préfets is likely to cause further friction. There is therefore an urgent need for the Government and CEMI to follow up the action taken so far by advancing their electoral plans and preparations as rapidly as possible, while ensuring full transparency.

43. In the economic sphere, I note the steps taken towards the privatization of some State-run enterprises, including PETROCA, the reorganization of the Finance Ministry, the restructuring of the banking sector and the efforts being made to improve the Government's revenue position in order to ensure the timely payment of wages and debt servicing. The Bretton Woods institutions will continue to monitor closely progress made and, pending the fulfilment of several conditions, IMF could consider the disbursement of a second tranche under the first annual enhanced structural adjustment facility arrangement in May. The World Bank might also consider implementing a new structural adjustment credit some time this year, if certain conditions are met. My Special Representative will continue to apply pressure in this important area, drawing as well on the support of UNDP, IMF and the World Bank to maximize the impact of economic programmes.

44. Finally, I wish to express my appreciation to my Special Representative, Oluyemi Adeniji, for his efforts to help resolve the persistent crises facing the Central African Republic. My thanks also go to the Force Commander, General Barthélémy Ratanga (Gabon), and to all the civilian and military staff of MINURCA. In this context, I would also like to express my appreciation to the troop-contributing countries for the cooperation they have displayed during the rotation of military personnel.

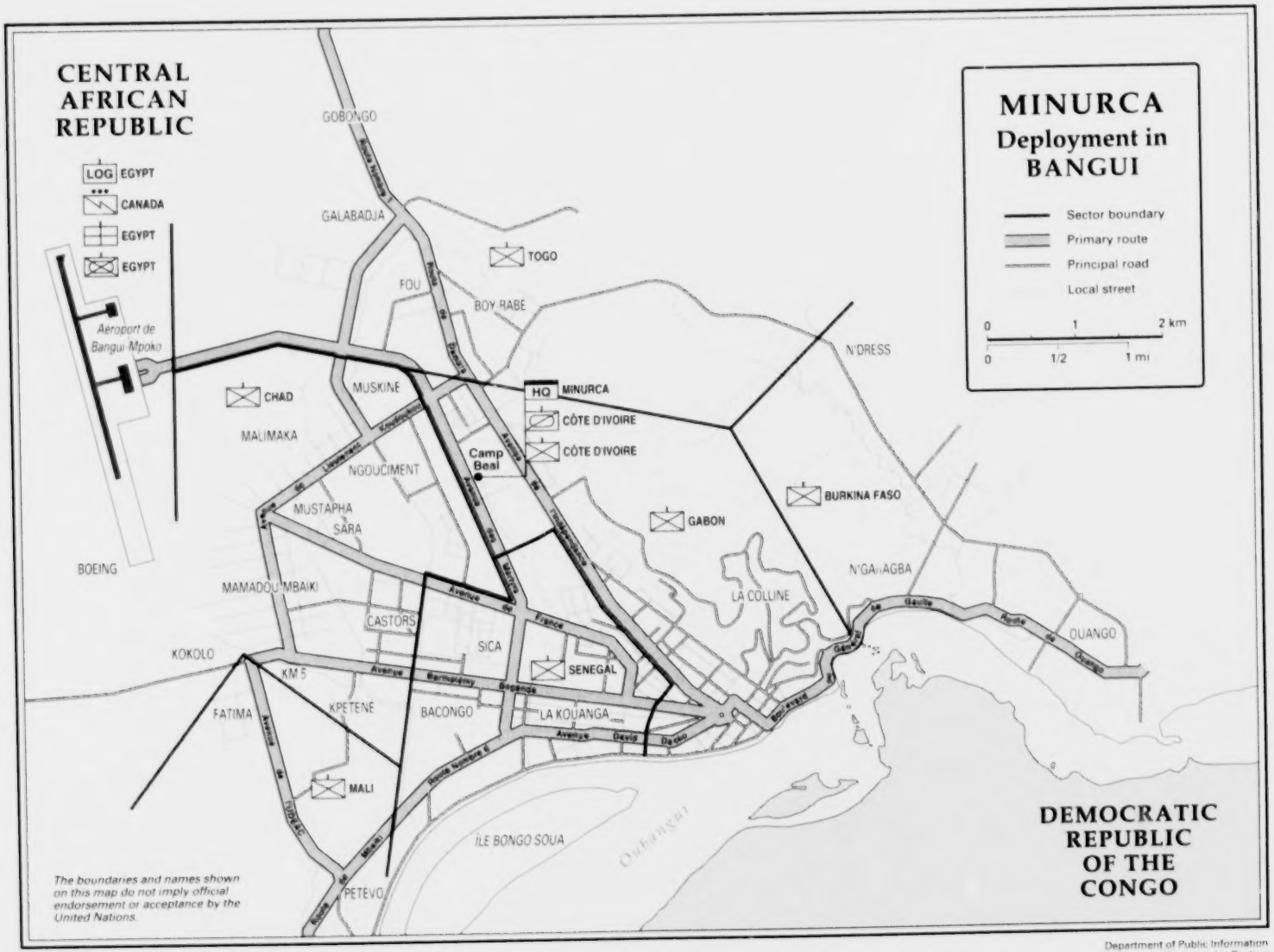
Annex

United Nations Mission in Central African Republic: contributions as at 9 April 1999

Country	Staff observers	Civilian police observers	Support unit	Troops	Total
Benin	-	2	-	-	2
Burkina Faso	6	-	-	120	126
Cameroon	-	1	-	-	1
Canada	4	-	-	25	29[a]
Chad	6	-	-	120	126
Côte d'Ivoire	8	1	15	210	234
Egypt	8	-	85	119	212
France	-	7	-	-	7
Gabon	8	-	-	120	128[b]
Mali	5	6	-	119	130
Portugal	-	2	-	-	2
Senegal	9	3	-	120	132
Togo	6	-	-	120	126
Tunisia	-	2	-	-	2
Total	60	24	100	1 073	1 257

[a] The figures do not include national support elements (22).

[b] In addition to the Force Commander.



Map No. 4060 Rev. 2 UNITED NATIONS
April 1999

Department of Public Information
Cartographic Section

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/417
14 April 1999

ORIGINAL: ENGLISH

LETTER DATED 14 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF AUSTRALIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith a letter dated 14 April 1999 addressed to you from the Minister for Foreign Affairs of Australia, Mr. Alexander Downer, concerning the detention of two Australian humanitarian assistance workers by the authorities of the Federal Republic of Yugoslavia (see annex).

I would be grateful if you would arrange for the text of the letter to be circulated as a document of the Security Council.

(Signed) Penny WENSLEY
Ambassador
Permanent Representative

99-10594 (E) 140499

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Annex

Letter dated 14 April 1999 from the Minister for Foreign Affairs of Australia addressed to the Secretary-General

I am sure you are aware that two Australians, Steve Pratt and Peter Wallace, working for the humanitarian aid organization Care Australia, have been detained in the Federal Republic of Yugoslavia since 31 March. We were informed yesterday by the Foreign Ministry of the Federal Republic of Yugoslavia that they will be charged with spying offences.

I have told the Ambassador of the Federal Republic of Yugoslavia here in Canberra that the accusations against the two Australians are preposterous and I have assured him that after extensive inquiries both here and overseas we have no evidence whatsoever that either of them engaged in intelligence activities as apparently alleged by the Yugoslav Government. Their arrest and the manner in which one of the two was paraded before the TV cameras on 10 April allegedly confessing to such activities suggests that the Yugoslav Government is embarked on a propaganda stunt designed to boost its stocks in the Federal Republic of Yugoslavia and possibly to undermine the position of humanitarian NGOs operating in Kosovo and elsewhere in the country.

Under the circumstances, I am appealing to you personally to use your good offices to do what you can to obtain access to the two men and to assist in securing their release. To this point, Australian Embassy officials in Belgrade have been denied consular access to them. We do not even know their precise whereabouts. Bearing in mind the implications of this situation for continuing humanitarian operations in the region, including those conducted under the auspices of the United Nations, it would in my view be entirely appropriate for you to appeal to the authorities of the Federal Republic of Yugoslavia to release the men.

I would appreciate it very much if you were able to assist us in any way in this matter.

(Signed) Alexander DOWNER

UNITED NATIONS **S**

Security Council

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GENERAL

S/1999/418
14 April 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 13 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF MALI TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit herewith the text of the declaration issued by the Government of the Republic of Mali on 12 April 1999 concerning the assassination of Ibrahim Mainassara Baré, President of the Republic of Niger.

I should be grateful if you would have this letter and its annex distributed as a document of the Security Council.

(Signed) Moctar OUANE
Ambassador
Permanent Representative

99-10565 (E) 140499 140499

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Annex

Declaration issued by the Government of Mali on 12 April 1999

The Government of the Republic of Mali expresses its indignation following the assassination on Friday, 9 April 1999, in Niamey, of Ibrahim Mainassara Baré, President of the Republic of Niger, and firmly condemns that repugnant act.

The Government of the Republic of Mali hopes that an inquiry will be opened concerning the circumstances of this assassination in order that justice be done.

It calls for respect for the effective implementation of Niger's constitutional legality.

The Government of the Republic of Mali reaffirms its opposition to any act of violence, which it firmly condemns, especially when it is utilized as a means of assuming power.

The Government of the Republic of Mali issues an appeal to Niger's political circles to uphold the Republic's legality and invites it to foster dialogue based on respect for democratic principles as the only means of achieving a peaceful and lasting settlement of the crisis in that country.

UNITED
NATIONS

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Security Council

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GENERAL

S/1999/419
14 April 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 14 APRIL 1999 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith the text of a communication dated 12 April 1999 which I received from the Secretary-General of the North Atlantic Treaty Organization (see annex).

I should be grateful if you would bring it to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

99-10583 (E) 140499 140499

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Annex

[Original: English]

Letter dated 12 April 1999 from the Secretary-General of the North Atlantic Treaty Organization addressed to the Secretary-General

In accordance with Security Council resolution 1088 (1996), I attach the monthly report on Stabilization Force (SFOR) operations. I would appreciate your making this report available to the United Nations Security Council.

(Signed) Javier SOLANA

Enclosure

Monthly report to the United Nations Security Council on Stabilization Force operations

1. Over the reporting period (21 February-20 March 1999), there were approximately 34,500 troops deployed in Bosnia and Herzegovina and Croatia, with contributions from all 19 North Atlantic Treaty Organization (NATO) allies and from 17 non-NATO countries. The increase in numbers compared to the last report reflects ongoing force rotation.

2. The Stabilization Force (SFOR) continued to conduct surveillance and reconnaissance by means of ground and air patrols, with combat aircraft flying approximately 132 hours. Ground patrols were intensified in sensitive areas in order to guarantee a secure environment, both before and after the Brčko arbitration decision in early March (see below).

3. SFOR continues to monitor entity compliance with Security Council resolution 1160 (1998), which prohibits the transport of weapons into the Federal Republic of Yugoslavia, by inspecting Government-owned factories and weapons storage sites, and by monitoring crossing points on the border with the Federal Republic of Yugoslavia. To date, no violations of resolution 1160 (1998) have been reported.

Cooperation and compliance by the parties

4. Over the reporting period, the parties remained substantially compliant with most military aspects of the Peace Agreement. However, the period was characterized by heightened tension, particularly in the Republika Srpska, owing to the continuing political instability there, and to the 5 March Brčko arbitration decision. On 16 March, around 20,000 people demonstrated in 30 cities across the Republika Srpska, ranging from 50 people in Pale to 6,000 people in Banja Luka, protesting against the Brčko arbitration and the removal, on 5 March, of Republika Srpska President Poplasen by the High Representative. SFOR troops monitored the demonstrations, all of which took place without incident, and with no reports of violence.

5. Tensions also arose within the Federation, particularly in Mostar, Stolac and Capljina, following the 16 March car bomb attack in Sarajevo on Mr. Leutar, a Bosnian Croat and the Federation Deputy Minister of the Interior, who subsequently died as a result of his injuries. SFOR provided support to the United Nations International Police Task Force (IPTF) and to the local police in their investigations of this incident.

6. Over the reporting period, SFOR troops conducted a total of 352 military weapons storage site inspections: 83 Bosniac; 51 Bosnian Croat; 183 Bosnian Serb; and 35 Federation. Two illegal weapons sites were discovered in Jahorina and Kuda in Multi-National Division (South-East). In the site at Jahorina, SFOR troops confiscated 250 hand grenades, 3 M-79 anti-tank weapons, one 120 mm mortar, two 82 mm mortars, 4 anti-tank rocket launchers, four AT3 anti-tank missiles and large quantities of ammunition. In Kuda, SFOR troops seized 80

hand grenades, 7 anti-tank grenades, 6 rifle grenades, two M80 anti-tank rocket launchers with 2 rockets, 3 sub-machine guns, 1 shotgun, 15 kilograms of explosives, 68 mines and large quantities of ammunition. All the weapons seized were subsequently destroyed by SFOR.

7. The reduction period under the weapons and ammunition storage programme, which ended on 28 February, resulted in the Entity armed forces closing 91 per cent of those sites required to be closed or consolidated (129 of 141 sites). The remaining 9 per cent will be closed or consolidated shortly.

8. SFOR monitored 512 training and movement activities during the period: 133 Bosniac; 49 Bosnian Croat; 175 Bosnian Serb; and 155 Federation. Training and movement bans were imposed on: the 3rd Corps of the Bosnian Serb Army from 27 February until further notice because of the involvement of personnel in the smuggling of weapons; on the 1st Bosnian Serb Army Guards Corps from 21 to 23 February for non-compliance with senior officer appointments; on the 11th MP Battalion of the Bosnian Serb Army from 26 February to 12 March for non-participation in a programmed activity; and on the 1st Rapid Reaction Brigade of the Bosniac Army from 26 February to 19 March for non-participation in a programmed activity. In addition, the Republika Srpska Police Anti-Terrorist Brigade (PATB) remains under the training and movement ban imposed in August 1997.

9. On 24 February, SFOR troops seized two lorry-loads of weapons at a checkpoint near Brčko. Investigations revealed the involvement of active duty personnel of the Bosnian Serb Army's 311th Infantry Brigade in the attempted arms smuggling, and COMSFOR subsequently ordered the disbandment of the Brigade. This began on 2 March, with SFOR removing weapons and equipment belonging to the Brigade for subsequent destruction.

10. Entity armed forces demining teams continued to conduct counter-mine support operations in order to ensure their readiness for the new summer demining campaign, which is due to begin on 19 April. Between 8 February and 14 March, despite the adverse weather conditions, nine demining teams in Multi-National Division (South-East) conducted 101 mine-clearing operations, removing 42 anti-personnel mines and 6 items of unexploded ordnance from 3,176 square metres of land.

Cooperation with international organizations

11. Within capabilities, and in accordance with its mandate, SFOR continues to provide assistance to the international organizations in Bosnia and Herzegovina, including IPTF, the Office of the High Representative, the Organization for Security and Cooperation in Europe (OSCE) and the Office of the United Nations High Commissioner for Refugees (UNHCR).

12. SFOR continues to provide support to the Office of the High Representative in its efforts to open airfields and to expand civil air operations. The Memorandum of Understanding for Mostar airport was extended during February to permit the expansion of air cargo and airmail operations. Preparatory work for the refurbishment of the Sarajevo air terminal is continuing, together with the installation of airfield lighting.

13. SFOR also continues to play an active role in supporting the efforts of the Office of the High Representative to establish joint institutions in Bosnia and Herzegovina. In this regard, SFOR, together with the Office of the High Representative and OSCE, has been working to further develop the Standing Committee on Military Matters (SCMM), inter alia, through the establishment of a permanent secretariat for the Committee. This subject was due to be discussed at the 9 March SCMM meeting, which was, however, cancelled owing to the political situation in the Republika Srpska.

Outlook

14. SFOR will continue to monitor the situation closely in the light of ongoing operations in Serbia and Kosovo. An influx of Kosovar refugees is likely to increase tension. Isolated acts of intimidation and violence can also be expected to continue as a result of the return of refugees and displaced persons.

UNITED NATIONS **A S**

General Assembly
Security Council

Distr.
GENERAL

A/54/78
S/1999/420
14 April 1999

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-fourth session
Item 161 of the preliminary list*
MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fifty-fourth year

Letter dated 13 April 1999 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the English translation of the note verbale dated 12 April 1999 from the Ministry of Foreign Affairs of the Islamic Republic of Iran addressed to the Embassy of the Republic of Iraq in Tehran concerning the assassination of Major General Ali Sayyad Shirazi, Deputy Chief of the Joint Staff Command of the Armed Forces of the Islamic Republic of Iran, by the Iraq-based MKO terrorist group on 10 April 1999 in front of his residence.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under item 161 of the preliminary list, and of the Security Council.

(Signed) Mehdi DANESH-YAZDI
Ambassador
Chargé d'affaires a.i.

* A/54/50.

99-10571 (E) 140499

ANNEX

Note verbale dated 12 April 1999 from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Iraq in Tehran

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Iraq in Tehran and has the honour to state the following:

The terrorist group MKO, having its command headquarters in Baghdad, has claimed responsibility for the terrorist act resulting in the martyrdom of Major General Ali Sayyad Shirazi, one of the high-ranking commanders of the armed forces of the Islamic Republic of Iran, in front of his residence in Tehran on 10 April 1999.

In view of the fact that this group plans its terrorist acts in Baghdad and that such acts, which are disruptive of the security of Iraq's neighbouring country, the Islamic Republic of Iran, could not be planned without coordination with the Iraqi authorities, the Ministry of Foreign Affairs of the Islamic Republic of Iran protests strongly against hosting and organizing the MKO terrorist group as well as against provision of facilities to them and aiding and abetting them in carrying out terrorist acts, and calls upon the Government of Iraq to identify and extradite those responsible for masterminding this terrorist act and to desist from aiding, abetting and organizing this terrorist group.

The Islamic Republic of Iran reserves its right to legitimate defence with a view to safeguarding its security against terrorist acts.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/421
14 April 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 13 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith the statement on the common position concerning Ethiopia and Eritrea, issued on 23 March 1999 by the Presidency of the European Union (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Dieter KASTRUP
Ambassador
Permanent Representative

99-10606 (E) 150499 150499

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Annex

Statement on the common position concerning Ethiopia and Eritrea, issued on 23 March 1999 by the Presidency of the European Union

The Central and Eastern European countries associated with the European Union, the associated country Cyprus and the European Free Trade Association countries, members of the European Economic Area, declare that they share the objectives of the common position defined by the Council of the European Union on 15 March 1999, on the basis of article J.2 of the Treaty on European Union, concerning Ethiopia and Eritrea. They will ensure that their national policies conform to that common position.

The European Union takes note of this commitment and welcomes it.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1999/422
14 April 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 13 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of the following violations that were committed on the Kuwaiti side of the demilitarized zone:

1. At 1307 hours on 4 April a remotely-piloted vehicle (RPV) used for reconnaissance and espionage was seen coming from Kuwaiti airspace towards Iraqi territory. It overflew the Umm Qasr area and then left in the direction of the sea.

2. At 1430 hours on the same day an RPV flying at high altitude was seen in the Faw area.

These are clear-cut violations on the part of Kuwait and, since they are in breach of the rules governing the demilitarized zone and create tension in the area, the Government of Iraq demands that there be no repetition of such actions in future.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Permanent Representative

99-10600 (E) 150499 150499

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/423
15 April 1999

ORIGINAL: ENGLISH

LETTER DATED 14 APRIL 1999 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have been instructed by my Government to inform you that the air forces of the North Atlantic Treaty Organization (NATO) bombed today a column of refugees in Kosovo and Metohija as they returned to their homes. The column of a few thousand people, mostly women, children and the elderly, was struck on two occasions on their way home following a call by the Yugoslav Government.

The air raid occurred on the Djakovica-Prizren road near the villages of Madanaj and Meja between 1.00 p.m. and 3.00 p.m. local time. According to the initial information, it has been ascertained that 64 persons were killed and over 20 wounded in the raid. In addition to the refugees, three policemen that escorted them were also killed.

Bearing in mind this criminal act of the NATO air forces against innocent civilians returning to their homes, I request that you convene an emergency meeting of the Security Council to condemn this criminal act.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Charge d'affaires a.i.

99-10618 (E) 150499

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/424
15 April 1999

ORIGINAL: ENGLISH

LETTER DATED 15 APRIL 1999 FROM THE PERMANENT OBSERVER FOR THE LEAGUE OF ARAB STATES TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In accordance with Article 54 of the Charter of the United Nations, I have the honour to transmit herewith resolution No. 5849 dated 18 March 1999, entitled "Foreign conspiratorial schemes against the Sudan", adopted by the Council of the League of Arab States at its one hundred and eleventh regular session at the level of Ministers for Foreign Affairs, held at Cairo on 17 and 18 March 1999 (see annex).

I should be grateful if you would draw the attention of the members of the Security Council to the present letter and its annex and have them circulated as a document of the Security Council.

(Signed) Hussein HASSOUNA
Ambassador

99-10758 (E) 160499 160499

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Annex

[Original: Arabic]

Resolution 5849 of 18 March 1999, adopted by the Council of the League of Arab States at its one hundred and eleventh regular session, held in Cairo on 17 and 18 March 1999

Foreign conspiratorial schemes against the Sudan

The Council of the League of Arab States,

[Having considered:]

The note dated 1 February 1999 from the Permanent Mission of the Republic of the Sudan to the League of Arab States (BDJ/1/10/111),

And the recommendation of the Political Committee,

Having heard the report of the delegation of the Sudan on the scope of the foreign intervention in the internal affairs of the Sudan and on developments in connection with the foreign scheme to destabilize the country and jeopardise its security and territorial integrity,

Recalling resolution 189 adopted by the Arab Summit Conference at its extraordinary session held in Baghdad from 28 to 30 May 1990,

Further recalling Council resolutions 5374 of 27 March 1994, 5746 of 25 March 1998, 5781 of 24 August 1998 and 5794 of 17 September 1998,

Decides:

1. To reaffirm its resolution 5781, adopted at the extraordinary session of 24 August 1998, condemning the United States bombing of the Shifa pharmaceutical plant in Khartoum and deeming it to be an act of aggression against the Sudan, a serious violation of the country's sovereignty and territorial integrity and a flagrant breach of all the relevant covenants and conventions, of the norms of international law and, above all, of the Charter of the United Nations;

2. To reaffirm its support for the Sudan in confronting threats to its sovereignty, stability and territorial integrity and in rejecting any attempts at partition, and to assist its endeavours in regional and international organizations;

3. To condemn the threat by the United States to engage in renewed aggression against the Sudan, thereby demonstrating its contempt for the international rule of law and acting in flagrant violation of the Charter of the United Nations;

4. To call upon the international community to take a stand against the use of military force to resolve problems between States, and to urge self-restraint and the pursuit of constructive dialogue on political and security-related matters as an approach based on respect for the international rule of law, the sovereignty of States and non-intervention in the internal affairs of others;

5. To call attention to the fact that foreign intervention in the affairs of a State member of the League of Arab States poses a danger to security and stability in the region;

6. To urge Arab States to continue their efforts to provide increased humanitarian assistance to the Sudan in coping with the dire humanitarian situation in the country and to endorse and support the endeavours being made to achieve a comprehensive peace in southern Sudan;

7. To request the Secretary-General to take the necessary action with regard to the follow-up mechanism and to cooperate with the relevant bodies and organizations, and primarily with the Security Council and the United Nations, for the implementation of the resolutions adopted by the Council of the League in support of the Sudan in the forums in question.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/425
15 April 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 12 APRIL 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

As you know, the United Nations has established, at the request of the Security Council, a political presence in Burundi in order to support the initiatives aimed at promoting peace and reconciliation between the parties to the conflict in that country.

Since it was set up, the United Nations Office in Burundi has played an active and constructive role in giving its support to the parties engaged in the peace process, both in the building of an internal political partnership and in the Arusha talks.

The current peace process has reached a critical stage, rendering it even more urgent that the United Nations Office in Burundi should continue to follow closely the situation in the country at the political and the security levels. For that reason, I have decided to upgrade the level of the United Nations Office in Burundi by appointing Mr. Cheikh Tidiane Sy, the current head of the Office, as the Representative of the Secretary-General in Burundi.

I should be grateful if you would call the attention of the members of the Security Council to the appointment of Mr. Sy.

(Signed) Kofi A. ANNAN

99-10770 (E) 150499 150499

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/426
15 April 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 15 APRIL 1999 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 12 April 1999 (S/1999/425) concerning your decision to upgrade the level of the United Nations Office in Burundi by appointing Mr. Cheikh Tidiane Sy, the current head of the Office, as your Representative in Burundi has been brought to the attention of the members of the Council. They take note of the decision contained in your letter.

(Signed) Alain DEJAMMET
President of the
Security Council

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LETTER DATED 15 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF ERITREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward to you the attached press release issued by the Ministry of Foreign Affairs of the State of Eritrea today, 15 April 1999, on Ethiopian bombing of civilian centres in Eritrea (see annex).

At a time when Eritrea and the entire world community is calling for an immediate and unconditional cessation of hostilities and implementation of the Organization of African Unity (OAU) Framework Agreement, the Ethiopian regime continues to reject both, presenting new conditions and thus bearing full responsibility for the continuing war.

The Ethiopian regime has moreover intensified its criminal bombing of civilian centres in Eritrea, including major towns, and continues as well its expropriation, detention and deportation of ethnic Eritreans with impunity. This is a slap in the face of the Security Council and the international community at large, which just two days ago on 13 April reiterated its "call once again for an immediate cessation of hostilities and the implementation of the OAU Framework".

The Security Council cannot be silent when the Ethiopian regime continues to become an obstacle to a peaceful solution in defiance of the Council's insistence "that the parties ... immediately and unconditionally agree to a ceasefire" (statement of 24 February 1999), and also continues its bombing of civilian centres in Eritrea and its crimes against ethnic Eritreans in Ethiopia. Continuing to call or demand for cessation of hostilities by both parties when Eritrea has always called for and accepted it but Ethiopia continues to reject it, not acting when Ethiopia continues its bombing and other crimes against Eritrean civilians is encouraging the Ethiopian regime to persist in its war for wider agendas and its crimes against Eritrean civilians.

Despite Eritrea's will and readiness to resolve the conflict peacefully, these circumstances leave Eritrea no option but to defend its sovereignty and the safety of its citizens by whatever means necessary.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Haile MENKERIOS
Ambassador
Permanent Representative

Annex

Press release issued on 15 April 1999 by the Ministry of Foreign Affairs of Eritrea

Ethiopian jets bomb civilian areas

Ethiopian fighter planes today bombed the town of Adi-Kaieh, the environs of Mendefera and the village of Forto (western Eritrea). The successive bombings occurred from 12:30 to 1:00 p.m.

Eight children were wounded - some of them critically - in the bombings that hit a school in Adi-Kaieh while a nearby church was partially demolished. There were no casualties in the other two air raids.

The high-altitude bombings were indiscriminate.

The Tigre People's Liberation Front (TPLF) regime has carried out the air raid on these civilian targets only two days after the United Nations Security Council renewed its calls for an immediate cessation of hostilities and the implementation of the OAU Framework Agreement, which remains blocked by the TPLF.

The town of Adi-Quala, the environs of Zalambesa, Deda Lalai, Hazemo, Shambiqo, Kinafna and Molki were targets of previous bombings by Ethiopian Antonov, Mig aircraft and helicopter gunships since 6 February 1999, when the TPLF regime violated the moratorium on air-strikes. Twenty-seven civilians were killed and 42 others wounded in those bombings.